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SIPDIS

DEPARTMENT PLEASE PASS TO NEA/ARP JOSH HARRIS AND DRL/NESCA
MATT HICKEY

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TAGS: [PGOV](#) [PREL](#) [SA](#)
SUBJECT: SAUDI CONSULTATIVE COUNCIL DOMINATED BY
U.S.-EDUCATED EXPERTS

REF: RIYADH 482

Classified By: Charge d'Affaires David Rundell
Reason 1.4 (b) & (d)

11. KEY POINTS AND COMMENT:

-- (U) King Abdallah appointed 81 new members to Saudi Arabia's 150-member Majlis Al Shura (Consultative Council) on February 14.

--(U) Half of all the members (and 43 percent of the new appointees) studied in the US, and 70 percent have PhDs.

-- (C) The new Majlis Chairman is Sheikh Abdullah Bin Mohammed Al Al-Sheikh, the former Minister of Justice. A highly respected Islamic scholar, he was appointed to reassure religious conservatives that the Majlis will be guided by Sharia in its deliberations.

-- (U) The membership is drawn from and is roughly proportional to the populations of the Kingdom's thirteen provinces. The number of Shia members declined from five to three.

-- (U) There was no change in the role of women advisors, whose numbers nevertheless increased from six to twelve.

-- (U) The Majlis is seen by the SAG as an advisory body needing highly-educated members. Commenting to Al-Madina newspaper on March 24, Interior Ministry Prince Nayif stated that appointments (versus elections) "give us the best selectees," adding that "the members would not be at this level" if elected.

-- (U) The King therefore appoints technocrats who are experts rather than local leaders.

-- (C) The Majlis is not a breeding or training ground for future leaders; those the King chooses are already leaders in their fields, and they are unlikely to challenge the legitimacy of the Al-Saud.

-- (U) The Majlis' limited powers have increased incrementally, and today its influence stems from its responsibility for the Kingdom's five-year development plans, from which the annual budgets are derived, its ability to summon government officials for questioning, and its role as policy debate forum.

COMMENT:

-- (C) The new Majlis chairman and membership do not represent a notable shift in internal Saudi politics. What is significant is that the Majlis continues to be dominated by members who have studied in the United States, illustrating that influential Saudis still, more often than

not, are likely to be US-educated, and speak American English, and while not always fully agreeing with USG policies, hold the US in high regard. The Majlis helps shape SAG policies and public perceptions, and as such, has the potential to bolster US-Saudi bilateral ties.

END KEY POINTS AND COMMENT.

THE MAJLIS - SEEDS OF DEMOCRACY?

12. (U) NO LOCAL FACTIONS: The Majlis is one component of the Saudi legislative process. It is also seen as a system for expanding political participation, and as such receives far greater public attention as a potential "seed of change" than any other Saudi institution. However, it is probably misleading to see the Majlis as a precursor to a parliament. It remains an institution whose members are appointed by and whose power devolves from the King and not "the people." While all regions of Saudi Arabia are represented, members are appointed as individuals and expected to work for the national good. The King appoints members who are experts, not political leaders. The King appoints a hydroelectric expert to advise on issues of electricity, an Islamic antiquities expert to advise on tourism, or a former military officer to advise on security. The Majlis is not a breeding nor training ground for future leaders; those the King chooses are already leaders in their fields, and they represent no threat to the legitimacy of the Al-Saud.

RIYADH 00000598 002 OF 005

13. (U) THE MAJLIS - HOW CLOSE TO A "REAL" PARLIAMENT IS IT? The Al-Saud have granted the Majlis increased numbers and legislative power since 1992, though it still lacks budgetary authority. While it engages in democratic-style practices such as voting, bill-making and often rancorous (for the Saudi context) debate, it seems clear that the Saudi leadership seeks a circumscribed role for the council. It is both codified and viewed by the SAG as an advisory body needing a highly-educated members who are technocratic leaders in their fields. Commenting to Al-Madina newspaper on March 24, Interior Ministry Prince Naif stated that appointments (versus elections) "give us the best selectees," adding that "the members would not be at this level" if elected.

THE NEW MAJLIS MAKE-UP - SAUDI BORN, AMERICAN EDUCATED:

14. (U) MAJLIS MEMBERS TRAINING AND PLACE OF STUDY: The current membership has impressive credentials:

- 16% have bachelor's degrees;
- 13% have master's degrees;
- 70% have PhDs; and
- 1% have MDs.

They are overwhelmingly educated outside the country:

- 49% in the United States;
- 29% in Saudi Arabia;
- 16% in the United Kingdom;
- 3% in France;
- 1% in Germany;
- 1% in Egypt; and
- 1% in Pakistan.

15. (U) THE NEW MEMBERS; A GEOGRAPHICAL BREAKDOWN: Majlis members are appointed as individuals and not/not as representatives of regions or localities. Nevertheless, they are drawn from every Saudi province, in numbers roughly

proportional to each region's population. Exceptions are the Eastern Province, which is underrepresented, and Qassim and Madinah, which are over-represented:

- Al-Jouf: 2 percent of total population, 4% of Majlis;
- Tabuk: 3 percent of total population, 2% of Majlis;
- Northern Border: 1 percent of total population, 4% of Majlis
- Ha'il: 3 percent of total population 4% of Majlis;
- Qassim: 5 percent of total population, 13% of Majlis;
- Eastern Province: 16 percent of total population, 8% of Majlis;
- Madinah: 7 percent of total population, 12% of Majlis;
- Makkah: 22 percent of total population, 24% of Majlis;
- Riyadh: 23 percent of total population, 18% of Majlis;
- Baha: 2 percent of total population, 2% of Majlis;
- Asir: 8 percent of total population, 6% of Majlis;
- Jizan: 6 percent of total population, 2% of Majlis; and
- Najran: 2 percent of total population, 1% of Majlis.

(Note: One previous member born in Syria is now gone; one new member is from Basra, Iraq. End note.)

¶6. (C) The new membership's geographical distribution changed slightly from the previous session, with Qassim and Asir gaining a few members, and Riyadh losing several. There is no evidence to suggest that the changes reflect a plan by the King to give more of a voice to any particular region, however. Changes for each region from the 2005-2009 Majlis were:

- Al-Jouf (2.1%)
- Tabuk (-1.4%)
- Northern Border (.4%)
- Hail (1.3%)
- Qassim (4.6%)
- Eastern Province (.1%)
- Madinah (.4%)
- Makkah (1.7%)
- Riyadh (-10.2%)
- Baha (.2%)
- Asir (3.1%)
- Jizan (-2.2%)
- Najran (.1%)

(Note: The birthplaces of only 120 of the 150 members are available/known. End note.)

RIYADH 00000598 003 OF 005

¶7. (U) THE CONTROVERSY OVER WOMEN AND SHIA MEMBERS: The previous Majlis session included five voting Shia members and six female non-voting members. The number of Shia in the Majlis is now three. For the new session, the King increased the number of "female advisors" from six to twelve. However, the King did not change their authority: they still cannot vote; they instead "advise" relevant Shura committees, often the Social, Family, and Youth Affairs Committee. Recently, Minister of Interior Nayif, also the new second deputy prime minister (reftel A) told Al-Madina newspaper on March 25 that he sees "no need" to increase female participation in the Majlis.

¶8. (U) NO NEW STRUCTURE: The Majlis Al-Shura consists of 12 permanent committees:

- Islamic, Judicial, and Human Rights
- Social, Family, and Youth Affairs
- Administration, Human Resources, and Petitions
- Economic and Energy Affairs
- Security Affairs
- Educational and Scientific Research Affairs
- Cultural and Information Affairs
- Foreign Affairs
- Health and Environmental Affairs
- Financial Affairs

- Water, Public Facilities, and Services
- Transportation, Communications, and Information Technology

These 12 standing committees meet once per week while the Majlis is in session; the Majlis Chairman may form special committees at his choosing.

¶9. (U) NO NEW MANDATE: The King did not change the procedures or powers of the Majlis, though he appointed a member of the royal family to the Majlis for the first time.

¶10. (C) THE NEW CHAIRMAN -- TRADITIONAL GUARDIAN: King Abdallah replaced previous Shura Chairman Sheikh Salih Bin Abdullah Bin Humayd with Sheikh Abdullah Bin Mohammed Bin Ibrahim Al-AlSheikh, the former Minister of Justice. His appointment seemed designed to reassure the Ulama and religious conservatives that the Kingdom's legislative activities will continue to take place within the context of Sharia, and guided by one of the country's most senior religious scholars.

¶11. (U) Born in Dir'iyah (outside Riyadh) in 1951, Al-AlSheikh obtained his bachelors degree at the Shariah College of Imam Mohammed Bin Saudi University in Riyadh in ¶1975. He then earned a masters degree in 1979 from Al-Azhar University in Egypt. He earned his Ph.D. in Fiqh (Islamic jurisprudence) from Imam Mohammed Bin Saudi University in ¶1987. A member of the Board of Senior Ulema from 1992-1995, Al-AlSheikh was the Minister of Justice from 1995-2008. Al-AlSheikh is also a member of the Supreme Council for Islamic Affairs.

THE MAJLIS' FUTURE: PUBLIC OUTREACH AND
INCREASED AUTHORITY?

¶12. (U) NO NEW LEGAL MANDATE, BUT PUBLIC MANDATE - YES: In the last few years, the Shura Council has not enjoyed great public support. The former Majlis Chairman, Sheikh Humayd, stated two months before the cabinet reshuffling that the "approval rate of the (Majlis') performance does not exceed 20%." Several Majlis members' interviews since the February 14 appointments stress the need to reach out to the public. Dr. Al-Dawsari, a member of the Islamic, Judicial, and Human Rights Committee told Al-Watan on February 16 that the Shura Council should be a "catalyst for the drive of the leadership and of the media to bring about change."

¶13. (U) OUTGOING MEMBERS RECOMMEND MORE POWER: Just prior to the end of the previous Majlis session, Dr. Abd-al-Rahman Al-Shubail, along with eight other Majlis members whose terms the King did not renew, authored a book on recommendations regarding changing the authority of the Majlis. The recommendations, while not revolutionary, do envision a much greater role for the body. Needless to say, none were adopted, and the members were all retired. They recommended granting the council the power to summon ministers without approval, the power to approve the state budget before its ratification by the Council of Ministers, and oversight of the previous year's actual budget allocations. They also advocated election of half the Majlis members (similar to

RIYADH 00000598 004 OF 005

municipal councils), and stressed the importance of having greater female participation (but did not go so far as to recommend female members with the power to vote).

¶14. (U) SOME MEMBERS - MORE WOMEN: Former Majlis member Dr. Abd-Al-Aziz Al-Nu'aym also recommended that the Majlis allocate 20% of the membership to women. Muhammad Al-Sharif, another former member, agreed with this proposal, adding that this action would recognize women's role in Saudi Arabia and the "right to participate in public life." He argued that this will remove the public embarrassment the issue creates for Saudi Arabia in the international community.

MAJLIS BACKGROUND: HISTORY AND RECENT REFORMS

¶15. (U) MAJLIS AL-SHURA - WHEN AND HOW DID IT EVOLVE? King Abdalaziz established the precursor to the Majlis in 1926 (with the first session beginning in 1927). In 1953, when the government formed the Council of Ministers, the Council took over the Majlis' legislative duties. However, this body existed only in the Hijaz, and was moribund by the early '30s. It never had the status of the current body. King Fahd revived the Majlis in 1993, though it was a much different organization with 60 members. The membership was further expanded to 90 in 1997, 120 in 2007, and finally to 150 in 2005.

¶16. (U) LEGISLATIVE AUTHORITY IN THE KINGDOM: Saudi Arabia's legal system derives its basis from the Holy Quran and the Sunnah, forming Sharia law. The King, the Council of Ministers, and the Majlis Al-Shura form Saudi Arabia's legislative power. The King has the ultimate authority over the legislative process: as Head of State and Head of the Council of Ministers, he has the power to repeal, enact, or amend any laws or regulations by Royal Decree. The King can accept and reject any proposal from either of the other two legislative bodies: the Council of Ministers and the Majlis Al-Shura.

¶17. (U) THE 1992 BASIC LAW AND THE CREATION OF THE NEW MAJLIS: The 1992 Basic Law mandated the creation of a new Majlis system. In this new form, the law states that the Majlis is intended to be an institution to "exercise oversight functions, allow citizens to participate directly in the administration and planning of country policies, monitor the performance of agencies, and open up the Saudi decision-making process to greater public scrutiny and accountability." According to this new Shura law, the King must issue a Royal Decree every four years that marks the beginning of a new Majlis term. In addition, at the beginning of each new session the King must address the Majlis to outline both foreign and domestic priorities. The Shura law states that the King must choose members from among "scholars and men of learning." While there are no term limits, the King must replace fifty percent of Majlis members at the beginning of each new session. Majlis members cannot hold any other government or private management positions, unless specifically authorized by the King.

SAUDI SCHOOL HOUSE ROCK - HOW A BILL BECOMES A LAW:

¶18. (U) WHERE A BILL COMES FROM AND WHERE IT GOES: Majlis members may introduce a bill at any time; however, the Chairman must approve a bill before a committee or the general membership may consider it. Unlike the Council of Ministers, where one Minister may introduce a bill for the King's consideration, a bill must pass the Majlis with two-thirds majority before the Majlis Chairman may forward it to the King. Bills are debated at length, and similar to Western parliamentary systems, the committees call experts and government officials to give advice on proposed legislation.

¶19. (U) THE 2003 REFORMS: Prior to 2003 the King's approval was needed before the Majlis could study an issue or bill. With a change to Article 23 of the Shura Council Law, the Majlis has the power to initiate legislation. In the past, after the Majlis considered a law, it went to the Council of Ministers before it went to the King. A 2003 amendment gave the Majlis the authority to send completed legislation directly to the King (rather than the Council of Ministers), putting it, theoretically, on an equal footing with the Cabinet. In the event of a disagreement between the Cabinet and the Majlis on a piece of legislation, the Majlis can still send it to the King who holds the final decision.

(NOTE: As the King is the head of the Council of Ministers, it is unlikely that the Council would take a position against the Majlis on an issue that the King supports. END NOTE.)

¶20. (U) WHAT A BILL CANNOT BE: Bills originating from either the King, the Council of Ministers, or the Majlis cannot conflict with the Quran or a Sunnah. These compromise Saudi Arabia's constitution, and hence take precedence over all other laws (including the Basic Law). Proposed legislation must also comply with the Basic Law. Finally, under the Basic Law, all proposed legislation must "meet the interests of the state and (legislators must) remove whatever might be detrimental to state affairs - all in accordance with Islamic Shariah."

¶21. (U) DO THESE BILLS ACTUALLY BECOME LAW? After the Majlis passes a bill and sends it to the King, many incorrectly conclude that the bill is either law, or soon will be. However, when the King forwards the bill to the Council of Ministers, it can often take years before the bill resurfaces. The Council will debate the bill itself, but usually it sends the bill to specific Cabinet ministries for further review. This process compromises a type of feasibility study, where various ministries give input as to the bill's cost and method of implementation. This said, there is also evidence that in this lengthy review process, some bills never resurface; they either evolve into different bills or are thrown out altogether.

THE ROLE OF THE MAJLIS IN THE SAUDI LEGISLATIVE PROCESS

¶22. (U) THE POWER TO SUMMON: The Majlis is empowered to call upon ministry officials to the Majlis for questioning. Initially, this power was limited, requiring that Ministers concur with requests to summon officials for questioning. However, King Abdallah issued instructions in 2006 ordering that any minister or ministry official would appear when summoned. While the Majlis occasionally holds hearings in secret (often with the Ministry of Interior), most sessions are public and the results available in the press the following day. In 2007 the Majlis introduced a system by which citizens could submit questions on specific topics to the relevant Majlis committee; the committee will then review the question, and if it chooses to do so, raise it with the relevant ministry official. However indirect, this procedure constitutes the only public questioning of Saudi government officials by private citizens.

¶23. (U) NO POWER OF THE PURSE: Though the Majlis does not/not have the power to review and approve the government budget, it exercises its influence in two ways. First, the Majlis is in charge of the five year plan, from which derives the budget. Second, as previously discussed, the Majlis has the power to call upon ministry officials, allowing the Majlis to create public oversight of waste or under-funding.

¶24. (U) Whether the Majlis role will evolve further remains to be seen -- as discussed, some erstwhile members favor the concept of an at least partially-elective body, though royals haven't voiced their support for such ideas. What seems clear, however, is that the Majlis influences both public opinion and public policy, and has steadily expanded its role as a forum in which religious conservatives and liberal reformers from all parts of the country debate the country's future, and plays a role in shaping a national identity that could one day transcend the notion of monarchy.

RUNDELL